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Batterer Intervention

Introduction

In 2002, nearly 30 percent of the convicted DV offenders received batterer intervention as part of their sentence. The standards for certified batterer treatment programs in Washington State are set forth in the Washington Administrative Code (WAC 388-60-0255, 0265).

Generally, those referred to batterer treatment as a condition of their probation are required to do the following: complete an evaluation/assessment; complete a minimum of 26 weeks of weekly group counseling sessions; and complete an additional four to six months of counseling sessions. Thus, in order to complete the program, it generally takes a *minimum* of one year. According to Batterers' Intervention expert, Joan Zegree, "for durable change, a one-year program is merely the beginning."

Further, the WAC requires treatment providers to establish specific criteria for completion of treatment. In addition to attending the minimum number of sessions, the perpetrator must:

- Stop the use of all violent acts or threats of violence;
- Stop using abusive and controlling behavior;
- Adhere to a specific responsibility plan;
- Comply with court orders; and
- Comply with other conditions of the contract for treatment services, such as chemical dependency treatment.

Successful completion of this treatment, however, does not happen in a vacuum. Every part of a municipality's coordinated response system to domestic violence (law enforcement, prosecution, court, and social services), plays vital roles in making intervention with the batterer effective. Specifically, community response elements should include: 1) Support and advocacy for victims and their children, 2) Court review process, 3) Probation, 4) The larger community sending a consistent, clear and strong message, and 5) Intervention Standards (see below).¹ While Seattle has some of these elements in place, significant gaps and barriers exist. Seattle's recently completed assessments on the criminal justice response to domestic violence provide some insight and information about some of these gaps and barriers.

From the report on "Prosecution Response to Misdemeanor DV Cases"

Some of the victims, prosecutors, advocates, police, and probation officers interviewed expressed frustration with the post-sentencing part of the process, saying that most domestic violence offenders do not complete anger management classes or batterer programs. Reasons given for non-completion were finances, offenders committing new crimes, offenders not believing they need treatment, or offender manipulation. These opinions were borne out by observations of the Review Calendar and interviews where advocates and victims expressed frustration with the lack of accountability that sometimes occurred with probation violations for not attending treatment ("They always give them another chance") and with Stipulated Orders of Continuance ("No one does anything about these orders"). Some probation officers said that this problem is related to agreeing on sentences and conditions without involving corrections and program staff, and winding up with defendants and sentences that are inappropriate for one another. Judges indicated offender accountability could be increased if probation officers were present for review hearings.

¹ Zegree, J., "Batterers Intervention: All You Need To Know", Article Published by the National College of District Attorneys, 1999.



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From “A Report on DV Unit, Seattle Municipal Court Probation”:

Probation counselors and judges interviewed for this report identified the following gaps in batterer intervention as a sanction in Seattle’s criminal justice system:

- Low-cost treatment for indigent offenders. Currently, the lowest available fee for treatment in Seattle is \$100 for the initial intake and \$20 per session per week, although many programs charge higher fees, even for indigent clients;
- Treatment for African-Americans and Native Americans, using culturally-specific curricula;
- Additional treatment for non-English speakers;
- Treatment programs for lesbians and gays;
- More structured, in-depth programs for parents who abuse their children (currently there is only one parenting program that covers issues specific to child abuse);
- Combined mental health and DV treatment (there is currently no single treatment program that addresses both issues);
- Treatment for DV offenders with limited or no literacy skills; and
- Assistance for DV offenders with job training and with employment. Many offenders are court-mandated to chemical dependency and DV treatment, but lack job skills or employment. It is not generally part of the court order or the treatment programs to assist them with obtaining employment, but without employment, they are unable to pay for treatment.

From “A Report on DV Cases in Seattle Municipal Court”:

The many batterer intervention providers implement their programs differently. This presents a challenge to the Court, which has the role of attempting to apply fair and equitable sanctions to the offenders under its jurisdiction. For example, one offender who attended eight months of treatment, has been given a certificate of completion by his treatment program, and is now shipping out to Iraq with his Army unit. He requests early termination of his probation, given that all other conditions of his sentence have been completed. Another offender has been in treatment for fourteen months, having started treatment on two separate occasions in two different programs. The first program terminated him for non-compliance due to his lack of attendance. The offender claims he couldn’t get to the program because he lost his driver’s license due to unpaid traffic tickets. He was paying for treatment and court-ordered child support, so he was unable to pay the traffic tickets. Shortly thereafter, he lost his job. He has since found another job, paid his tickets off and started treatment again, but the second treatment program required that he begin treatment from phase one. He is now in his twenty-second month of probation under his sentence and will not complete the treatment program before his probation supervision has expired under statutory jurisdictional limits. This difference in programming illustrates some of the challenges the Court and probation face, for example:

- What length of treatment will result in significant reduction in battering behavior?
- What constitutes “substantial” compliance vs. strict compliance?
- Without longer jurisdictional authority, what options does the Court have with respect to holding offenders accountable under an equitable standard?
- How can the Court and other partners in the coordinated response system address the economic barriers presented by some offenders?

Program Effectiveness

The question of whether batterer intervention is effective is complex and controversial. In an extensive review of the literature on the effectiveness of batterer intervention programs, Gondolf reports that batterer program evaluations “show 50-80% of program **completers** to be nonviolent at the end of a 6-month to 1-year period, as verified by their partners.” The reduction of other forms of abuse, however, is



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less clear (threats, stomping, put downs, etc.). Still, batterer intervention programs success rates, for those who do complete, are comparable to those in drug and alcohol programs and sex offender programs.² It is important to note that many of those DV offenders who are ordered to attend treatment do not complete.

In a 2001 paper, “Controversies and Recent Studies of Batterer Intervention Program Effectiveness” Bennett and Williams review myriad issues in program evaluation. The authors explore complexities in determining program effectiveness due to factors such as co-occurrence of issues (i.e., unemployment, substance abuse), attrition or high rate of non-completion, and recidivism measures. They say, “[t]he most important ‘outcome indicator’ is not individual behavior or recidivism, but rather community behavior: specifically, the community response to batterer non-compliance.”³

Batterer intervention research findings may have current application to practice. Bennett and Williams offer the following “as hypotheses generated from research and practice”:

1. **Batterer Intervention Programs (BIPs) have a small but significant effect.** They are critical elements in an overall violence prevention effort. The most effective reduction in partner violence will occur in those communities with the strongest combination of coordinated, accountable elements.
 2. **BIPs are more effective for some men than others.** One in four men referred to a BIP will account for most of the repeat violence and most of the serious injury within a batterer program.
 3. **Assessment must occur on an ongoing basis.** Most re-offense occurs early, usually within six months of initial program intake. Ongoing assessments are needed and should include both battering and substance abuse.
 4. **Encourage experimentation and program development.** Within the boundary of safety and accountable practice, developing effective programs is more likely under conditions of supervised experimentation. The safe way to engage in experimentation to boost program effectiveness is to work closely with criminal justice authorities, a local victim services agency, and victim advocates.
- Evaluate outcomes.** Programs which routinely evaluate what they do – and its effectiveness – are likely safer than programs which do not conduct routine evaluations. A batterers program alone is not enough to prevent violence.

The City of Seattle subsidizes treatment for court-mandated indigent batterers at four non-profit State-certified batterers’ intervention programs. Two of the programs serve the general population, one program targets Spanish-speaking batterers, and one program provides native language/culturally appropriate services to batterers from the Korean, Filipino, and Southeast Asian communities. The 2003 data for these programs indicate 381 clients served, 178 (46%) dropped out, 126 were still enrolled in the program, and 77 completed. The two culturally specific programs have the lowest dropout rates and the highest completion rates.

² Gondolf, E., “Batterer Intervention Systems: Issues, Outcomes, and Recommendations,” Sage Publications, 2002

³ Bennett, L. & Williams, O., “Controversies and Recent Studies of Batterer Intervention Program Effectiveness,” VAWnet, National Electronic Network on Violence Against Women, 2001.



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Recent developments

Recent system and community enhancements related to Batterers' Intervention includes:

- Data base updates to improve tracking of offender compliance with sentencing obligations were funded through Violence Against Women Act (VAWA) grant
- Seattle Municipal Court staff has worked to develop their Resource Center to include chemical dependency services, batterer intervention services, mental health services and Department of Social and Health Services connection

Cross Reference of Other Strategic Issues: Sanctions and Victim Defendants.